

1 RENE L. VALLADARES  
Federal Public Defender  
2 Nevada State Bar No. 11479  
NISHA BROOKS-WHITTINGTON  
3 Assistant Federal Public Defender  
411 E. Bonneville, Ste. 250  
4 Las Vegas, Nevada 89101  
(702) 388-6577/Phone  
5 (702) 388-6261/Fax  
Nisha\_Brooks-Whittington@fd.org  
6 Attorney for Curtis McGown

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8 **UNITED STATES DISTRICT COURT**  
9 **DISTRICT OF NEVADA**

10 UNITED STATES OF AMERICA,  
11 Plaintiff,  
12 v.  
13 CURTIS MCGOWN,  
14 Defendant.

Case No. 2:19-cr-00028-APG-GWF  
**STIPULATION TO CONTINUE  
REVOCATION HEARING**  
(Fifth Request)

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16 IT IS HEREBY STIPULATED AND AGREED, by and between  
17 Nicholas A. Trutanich, United States Attorney, and Kimberly M. Frayn, Assistant United  
18 States Attorney, counsel for the United States of America, and Rene L. Valladares, Federal  
19 Public Defender, and Nisha Brooks-Whittington, Assistant Federal Public Defender, counsel  
20 for Curtis McGown, that the Revocation Hearing currently scheduled on November 24, 2020  
21 at 9:30 a.m., be vacated and continued to a date and time convenient to the Court, but no sooner  
22 than 125 days.

23 This Stipulation is entered into for the following reasons:

24 1. On or about January 28, 2020, Mr. McGown appeared on the petition seeking to  
25 revoke his supervised release and was released on his own recognizance pending the supervised  
26 release revocation hearing, which is currently scheduled for November 24, 2020 at 9:30 a.m.

1           2.       The defendant, Mr. McGown has not resolved his state court case in connection  
2 with the alleged new law violation. A trial is scheduled for March 22, 2021, for the pending  
3 state court matter. Also, undersigned defense counsel will be out of the jurisdiction from  
4 November 23, 2020, until November 30, 2020, and will be unavailable to appear at the  
5 November 24, 2020 hearing. She requests the continuance for continuity of counsel. A  
6 continuance is further requested to allow Mr. McGown to resolve the pending state court matter,  
7 which may have an impact on the pending petition before this court.

8           3.       The defendant is not in custody and agrees with the need for the continuance.

9           4.       The parties agree to the continuance.

10          5.       The additional time requested herein is not sought for purposes of delay, but  
11 merely to allow the parties sufficient time within which to adequately prepare for the revocation  
12 hearing and to provide continuity of defense counsel. Additionally, denial of this request for  
13 continuance could result in a miscarriage of justice, and the ends of justice served by granting  
14 this request, outweigh the best interest of the public and the defendant in a speedy hearing.

15               This is the fifth request for a continuance of the revocation hearing.

16               DATED this 17th day of November 2020.

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18       RENE L. VALLADARES  
19       Federal Public Defender

NICHOLAS A. TRUTANICH  
United States Attorney

20               /s/ Nisha Brooks-Whittington  
21       By \_\_\_\_\_  
22       NISHA BROOKS-WHITTINGTON  
23       Assistant Federal Public Defender

              /s/ Kimberly M. Frayn  
By \_\_\_\_\_  
KIMBERLY M. FRAYN  
Assistant United States Attorney

1 **UNITED STATES DISTRICT COURT**

2 **DISTRICT OF NEVADA**

3 UNITED STATES OF AMERICA,

4 Plaintiff,

5 v.

6 CURTIS MCGOWN,

7 Defendant.

Case No. 2:19-cr-00028-APG-GWF

**FINDINGS OF FACT,  
CONCLUSIONS OF LAW AND  
ORDER**

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10 **FINDING OF FACT**

11 Base on the pending Stipulation of counsel, and good cause appearing therefore, the  
12 Court finds that:

13 1. On or about January 28, 2020, Mr. McGown appeared on the petition seeking to  
14 revoke his supervised release and was released on his own recognizance pending the supervised  
15 release revocation hearing, which is currently scheduled for November 24, 2020 at 9:30 a.m.

16 2. The defendant, Mr. McGown has not resolved his state court case in connection  
17 with the alleged new law violation. A trial is scheduled for March 22, 2021, for the pending  
18 state court matter. Also, undersigned defense counsel will be out of the jurisdiction from  
19 November 23, 2020, until November 30, 2020, and will be unavailable to appear at the  
20 November 24, 2020 hearing. She requests the continuance for continuity of counsel. A  
21 continuance is further requested to allow Mr. McGown to resolve the pending state court matter,  
22 which may have an impact on the pending petition before this court.

23 3. The defendant is not in custody and agrees with the need for the continuance.

24 4. The parties agree to the continuance.

25 5. The additional time requested herein is not sought for purposes of delay, but  
26 merely to allow the parties sufficient time within which to adequately prepare for the revocation

1 hearing and to provide continuity of defense counsel. Additionally, denial of this request for  
2 continuance could result in a miscarriage of justice, and the ends of justice served by granting  
3 this request, outweigh the best interest of the public and the defendant in a speedy hearing.

4 **ORDER**

5 THEREFORE, IT IS ORDERED that the revocation hearing currently scheduled  
6 for Tuesday, November 24, 2020 at 9:30 a.m., be vacated and continued to March 30, 2021 at  
7 the hour of 9:30 a.m. in courtroom 6C.

8 DATED this 17th day of November 2020.

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12 UNITED STATES DISTRICT JUDGE  
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